

**MINUTES  
PAGE COUNTY PLANNING COMMISSION  
REGULAR MEETING  
February 26, 2008 – 7:00 P.M.**

Members Present: Johnny Woodward, Chairman, District 4  
Paul Otto, Vice Chairman, District 1  
Darrell Short, District 4  
Charles Newton, District 3  
Frank deSerio – District 2  
Louis Bosley – District 3  
Dawn Ponn – District 2  
Sandra Hammel – District 5  
Jackie Sullivan-Smoot – District 5

Members Absent: Alan Eldridge – District 1

Staff Present: Kevin Henry, County Planner  
Michelle Somers, Zoning Administrator  
George W. Shanks, County Attorney  
Carolyn Miller, Program Support Technician

Others Present: Approximately 40 citizens

**Call To Order:**

Chairman Woodward called the meeting of the February 26, 2008 Page County Planning Commission to order in the General District Courtroom in the Page County Courthouse, 116 South Court Street, Luray, Virginia, at 7:00 p.m. followed by the *Pledge of Allegiance* and the Invocation.

**Consent Agenda:**

Commissioner deSerio made a motion to accept the February 26, 2008 Consent Agenda and Commissioner Newton seconded the motion. The motion passed unanimously.

**PUBLIC HEARINGS**

**Stonyman Agricultural & Forestal District Renewal and Amendment**

Chairman Woodward opened the Page County Planning Commission Public Hearing on the Stonyman Agricultural & Forestal District Renewal and Amendment at 7:06 p.m.

Michelle Somers, Zoning Administrator read the public hearing notice as follows:

**NOTICE OF PUBLIC HEARING  
PAGE COUNTY PLANNING COMMISSION  
STONYMAN AGRICULTURAL AND FORESTAL DISTRICT**

**NOTICE** is hereby given pursuant to Section 15.2-2204 of the Code of Virginia, as amended that the PAGE COUNTY PLANNING COMMISSION shall hold a public hearing at 7:00 p.m. on February 26, 2008, in the General District Court Room, 116 South Court Street, Suite B, Luray, VA, to receive public comments and to consider the renewal of the Stonyman Agricultural and Forestal District pursuant to the Agricultural and Forestal Act of the Commonwealth of Virginia, Title 15.2 Chapter 43, Code of Virginia (1950), as amended, and Chapter 125 of the Code of Page County, Virginia Section 125-67;

The Stonyman Agricultural and Forestal District shall consist of the following land; 1243.419 acres, more or less, generally located south of the intersection of South Antioch Road ( Route 689) and Stonyman Road (Route 642), east of the intersection of Stonyman Road (Route 689) and Route 340 north of the intersection of Ida Road (Route 689) and Hollow Run Road (Route 629) which includes the parcels shown on Page County Real Estate Maps.

***Staff Report ~***

Mrs. Somers said the Stonyman Agricultural and Forestal District began in 2000 and was adopted by Page County in 2001 for a term of seven years consisting of 1912.55 acres more or less. As of March 1, 2008 the district will expire. Notices and applications were sent out to those who are within a one mile radius of the core of the district. Mrs. Somers also stated that the Stonyman Agricultural and Forestal District will help protect and preserve the rural character and farm land of the area. Applications for 1243.419 acres have been submitted. The District shall be in effect for seven years, from March 18, 2008, to March 1, 2015.

***Planning Commission Comments ~***

Chairman Woodward inquired about the amount of land required and Mrs. Somers said there is a minimum of 200 acres to qualify. Commissioner Short asked if Mrs. Somers thought there would be a continuing trend of those exiting the District. Mrs. Somers said those exiting gave no reason and there had been a lot of new ones to apply. Commissioner Newton asked if persons could sign up later and Mrs. Somers said they could not.

**Public Comments ~**

Jerry Turner said that he thought the past seven years of the Stonyman Agricultural and Forestal District had been successful; no new developments had taken place. He said the Comprehensive Plan calls for preservation of the farm

land and this accomplishes that. Mr. Turner said that we want Page County to stay a rural area for our children and grandchildren.

Chairman Woodward closed the Public Hearing on the Stonyman Agricultural and Forestal District at 7:13 p.m.

**Motion:** Commissioner Newton made a motion to recommend approval of the Stonyman Agricultural and Forestal District renewal and amendment to the Board of Supervisors. Commissioner deSerio seconded the motion. The motion passed unanimously by a roll call vote of 9-0.

Louis Bosley	Aye	
Frank deSerio	Aye	
Sandra Hammel	Aye	
Charles Newton	Aye	
Dawn Ponn	Aye	
Paul Otto	Aye	
Jackie Smoot	Aye	
Darrell Short	Aye	
Johnny Woodward	Aye	
Alan Eldridge		Absent

**Ordinance Amendment for the Town of Luray Wastewater Facility and the Luray Caverns Airport as Permitted Uses**

Chairman Woodward opened the public hearing on the Ordinance Amendment for the Town of Luray Wastewater Facility and the Luray Caverns Airport as permitted uses at 7:19 p.m.

Michelle Somers, Zoning Administrator read the public hearing notice as follows:

**NOTICE OF PUBLIC HEARING  
PAGE COUNTY PLANNING COMMISSION  
ZONING ORDINANCE AMENDMENT**

**NOTICE** is hereby given pursuant to Section 15.2-2204 of the Code of Virginia, as amended that the Page County Planning Commission shall hold a public hearing at 7:00 p.m. on February 26, 2008, in the General District Court Room, South Court Street, Suite B, Luray, Virginia, to receive public comments and to consider the following: Amendment to Section 125-10, Agricultural,

Permitted Uses, Addition of "Town of Luray Wastewater Facility";  
Amendment to Section 125-12, Commercial, Permitted Uses,  
Addition of "Luray Caverns Airport."

***Staff Report ~***

Michelle Somers, Zoning Administrator reported that both the Town of Luray Wastewater Facility and Luray Caverns Airport were existing prior to zoning being adopted by the County and are considered non-conforming uses. The Page County Zoning Ordinance does not allow for such uses. The Town of Luray is planning on upgrading their facility to stay in compliance with the Chesapeake Bay Act and all other State and Federal laws. Luray Caverns Airport is planning on expanding their facility to include hangers. Both of these facilities would not be able to continue their expansion and/or upgrades without amending the ordinance. If approved, any expansions or upgrades could be done by right as a permitted use with the appropriate permits.

***Planning Commission ~***

Commissioner deSerio said that he was uncomfortable that any expansions could be done as a matter of right. He asked if this meant as a matter of right on the existing tracts that they now inhabit or could they build wastewater facilities anywhere within this zoning district. Mrs. Somers said that it would allow them under agricultural to build this facility but she did not foresee the Town of Luray rebuilding. Commissioner deSerio said he would like to see a phrase limiting it to their existing tracts. Commissioner Otto pointed out that staff recommendation stated, "expand within their current boundaries."

George Shanks, County Attorney said that both of the facilities are governmental or owned jointly by Town and County and have the powers of condemnation if necessary. These particular facilities currently exist and the amendments are specifically limited to these two facilities.

***Public Comments ~***

There were no speakers.

Chairman Woodward closed the public hearing on the Ordinance Amendment of the Town of Luray Wastewater Facility and the Luray Caverns Airport as permitted uses at 7:27 p.m.

***Planning Commission Discussion ~***

Commissioner Newton commented on his concerns about the expansion of the airport forty years from now and planning for the future. Mr. Henry said the airport is jointly owned by the Town of Luray and the County and are operating it for the citizens. It is not a private airport. Commissioner deSerio said he wanted to limit this to the existing boundaries and have the airport come to the Commission when they want to expand those boundaries. Commissioner Otto

asked how the adoption of an airport overlay zone would impact the right of imminent domain to condemn. Mr. Shanks said the Airport Commission does not have that authority nor would the Planning Commission. Commissioner Hammel asked for a separate vote be taken for the Town of Luray Wastewater Facility and the Luray Caverns Airport amendments.

**Motion:** Commissioner Newton made a motion to recommend approval of the Town of Luray Wastewater Facility as a permitted use in Section 125-10, Agriculture. Commissioner Hammel seconded the motion. The motion was passed unanimously by a roll call vote of 9-0.

Charles Newton	Aye	
Frank deSerio	Aye	
Dawn Ponn	Aye	
Paul Otto	Aye	
Darrell Short	Aye	
Jackie Smoot	Aye	
Sandra Hammel	Aye	
Louis Bosley	Aye	
Johnny Woodward	Aye	
Alan Eldridge		Absent

**Motion:** Commissioner deSerio made a motion to recommend approval of the Luray Caverns Airport as a permitted use in Section 125-12, Commercial with the addition of the words, "*expansion within the current boundaries.*" Commissioner Newton seconded the motion.

Commissioner Newton amended Commissioner deSerio's motion to say, "*only those properties that are owned and planned for acquisition within the current Airport Master plan.*"

(Kevin Henry pointed out that all the properties in the Airport Master plan are zoned differently.)

The Commission voted on Commissioner Newton's amendment to Commissioner deSerio's motion. The motion passed by a roll call vote of 6-3.

Darrell Short	Nay
Jackie Smoot	Aye
Sandra Hammel	Aye
Louis Bosley	Nay
Paul Otto	Aye
Dawn Ponn	Aye
Charles Newton	Aye
Frank deSerio	Aye

Johnny Woodward	Nay	
Alan Eldridge		Absent

The Commission then voted on Commissioner deSerio's motion as amended.

The motion passed by a roll call vote of 6-3.

Dawn Ponn	Aye	
Paul Otto	Aye	
Frank deSerio	Aye	
Jackie Smoot	Aye	
Sandra Hammel	Aye	
Louis Bosley	Nay	
Charles Newton	Aye	
Darrell Short	Nay	
Johnny Woodward	Nay	
Alan Eldridge		Absent

**Ordinance Amendment - Amend Definition of a "Cabin"**

Chairman Woodward opened the public hearing on the Ordinance Amendment to Amend the Definition of a "Cabin" – Section 128-1 of the Page County Code, Recreation Vehicle Parks and Campground at 7:47 p.m.

Chairman Woodward suspended the public hearing on the Ordinance Amendment to Amend the Definition of a "Cabin" in order to complete the motion on the Amendment to Section 125-12, (Commercial) to include under permitted uses "Luray Caverns Airport."

**Final Motion:** Commissioner Newton made a motion to recommend to the Board of Supervisors approval of the Amendment of Section 125-12 (Commercial) to include Luray Caverns Airport as a permitted use for those lands they currently own and those that are proposed to be acquired by their current Master plan. Commissioner Otto seconded the motion. The motion passed by a roll call vote of 6-3.

Louis Bosley	Nay	
Sandra Hammel	Aye	
Jackie Smoot	Aye	
Darrell Short	Nay	
Paul Otto	Aye	
Dawn Ponn	Aye	
Frank deSerio	Aye	
Charles Newton	Aye	
Johnny Woodward	Nay	
Alan Eldridge		Absent

**Ordinance Amendment - Amend Definition of a "Cabin"**

Chairman Woodward reopened the public hearing on the Ordinance Amendment to Amend the Definition of a "Cabin" – Section 128-1 of the Page County Code, Recreation Vehicle Parks and Campground at 7:51 p.m.

Michelle Somers, Zoning Administrator read the Notice of Public Hearing as follows:

**NOTICE OF PUBLIC HEARING  
PAGE COUNTY PLANNING COMMISSION  
RECREATION VEHICLE PARKS AND CAMPGROUNDS ORDINANCE  
AMENDMENT**

**NOTICE** is hereby given pursuant to Section 15.2-2204 of the Code of Virginia, as amended that the Page County Planning Commission shall hold a public hearing at 7:00 p.m. on February 26, 2008, in the General District Court Room, South Court Street, Suite B, Luray, VA, to receive public comments and to consider the following:

Comprehensive amendment to Section 128-1 Recreation Vehicle Parks and Campgrounds to amend the definition of a "cabin" to read "a dwelling unit designed for living or sleeping purposes in a campground and is not attached to any other dwelling by any means."

**Staff Report ~** Mrs. Somers explained the size of a cabin is limited to 400 square feet in the Recreation Vehicle Parks and Campgrounds Ordinance. The proposed definition of cabin reads "a dwelling unit designed for living or sleeping purposes in a campground and is not attached to any other dwelling by any means." This would replace the existing dual definition of cabin (cabin/camping and cabin/housekeeping). The proposed definition only pertains to cabins within campgrounds and all campgrounds require a special use permit. Therefore, at the time the Planning Commission reviews the special use permit, they could restrict the size of the cabin within the conditions they feel necessary. Also, the Health Department reviews all special use permits. This amendment would allow flexibility for both the county and campground owner.

**Planning Commission ~** Commissioner Short asked Mrs. Somers if he were to purchase twenty acres of land and want to build four houses on the property, could he do that. Mrs. Somers said he could not. She said each dwelling or tract would need to be 1 ¾ acres or more. Commissioner Hammel commented that in a campground situation this would allow them to create a subdivision without abiding by the subdivision ordinance. Mrs. Somers said the Health Department would regulate the number of bedrooms they would be permitted to construct and

would be reviewed by the Planning Commission and the Board of Supervisors who could limit the number of cabins and/or size of the cabins. Chairman Woodward said without a limitation on the size of a cabin it could be defined as a house. Commissioner deSerio said he was concerned about the erosion factor. Commissioner Ponn said 400 square feet is more in line with camping than a larger, full service unit. Commissioner Newton commented on the roads which Mr. Henry said would have to be served by a gravel road. He said the important aspect is if the campground goes out of business, each cabin would have to be sold separately and would be considered a by right subdivision and would have to be accessed by a 50' right of way and each would have to have their own well and septic system. Mr. Shanks read from the Page County Code, Section 128-6 of the Campground Ordinance – minimum width of interior roads shall be 10' for one way traffic and 20' for two way traffic. Commissioner Otto asked Mrs. Somers if she thought there would be a significant reduction of by right subdivisions due to this amendment and she did not.

***Public Comments ~***

Donna Eames – Mrs. Eames said she was not in favor of the amendment and does not agree with changing the size limitation of 400 square feet. Mrs. Eames had researched campgrounds and found most cabins are primitive in nature. She pointed many reasons as to why the definition of "cabin" should not be amended.

Peggy Downing – Mrs. Downing said she was not in favor and felt it was not fair to the current campground owners who had been made to stay within the 400 square feet. She said by increasing the size it is putting the campground owner in direct competition with the cabin owners of the county. She urged the Planning Commission to not vote to change the size limitation on cabins within a campground.

Chairman Woodward closed the public hearing on the Recreation Vehicle Parks and Campgrounds Ordinance Amendment at 8:22 p.m.

***Planning Commission Comments ~***

Commissioner Short spoke on entranceways to campgrounds which stated that no RV park shall be located except for direct access to a public street maintained by VDOT. Commissioner Hammel said she thought the proposed amendment should state the change in size in the actual definition. Commissioner Ponn

agreed. Commissioner Otto said he did not see the advantage for adopting the amendment. Mr. Henry reminded the Planning Commission that anyone building a large cabin must go through a Special Use Permit process and come before the Planning Commission but before that point, the staff will be able determine that someone is building something that is outrageous.



**Motion** – Commissioner Hammel made a motion to recommend the adoption of the definition of a cabin to read, *“Cabin – a dwelling unit designed for temporary living or sleeping purposes not to be used as a permanent residence in a campground that is not attached to any other dwelling by any means but consist of no more than 400 square feet in area.”* Commissioner deSerio seconded the motion.

George Shanks said there was a problem with the newspaper notice which stated a proposal to amend the definition of “cabin” but the word “cabin” as a separate term does not exist in the campground ordinance of the Page County Code. The ordinance has two types of cabins, “cabin/camping” and “cabin/housekeeping” which by definition are different kinds of units. The proposed amendment is redefining “cabin” and there is no single term “cabin” in the ordinance. Mr. Shanks said the public hearing had not been properly noticed with respect to redefining either of the terms in the current ordinance. Mr. Shanks said the proposed amendment needs to be withdrawn by staff. Commissioner Hammel withdrew her motion and Commissioner deSerio withdrew the second to the motion.

**Unfinished Business:**

Subdivision Ordinance Changes – Mr. Henry reported on changes that were discussed at the February Work Session. They were: attaching a scale to the plat (1 inch equals 100 feet) included in §D3, locating existing wells and septic systems, indicate building restriction lines for the proposed parcel (setback lines), wet weather streams to be included on the plat. These were to be discussed further in the March 2008 Work Session.

**New Business:**

Future Land Use Advisory Committee - Paul Otto, Chairman of the Future Land Use Advisory Committee reported there had been four meetings and they have reviewed and discussed current land use issues including those by the consultant and by the members of the committee. The consultant had identified over 100 strategies that were reviewed by the committee and categorized by time sensitivity. Some strategies are currently being implemented. The committee is in the process of making the urban growth areas more specific. The consultants will discuss this more in detail at public meetings on March 12<sup>th</sup> and 13<sup>th</sup>.

Zoning Subcommittee – Sandra Hammel, Chairman of the Zoning Subcommittee said there are currently three Planning Commission members on the

subcommittee and asked that more Planning Commission members be added to the subcommittee. The Zoning Subcommittee meets the third Thursday of each month. The next meeting will be held on March 20<sup>th</sup>.

**Citizen Comment:**

Natalie Zuckerman said she was disturbed about the process taken on the amendment to the campground ordinance. It was clear the subcommittee had not voted to bring it forward to the Planning Commission to decide if it should go to public hearing. She said she sees a lot of value in these procedures.

Jerry Turner said that he has seen the Future Land Use Maps and feels they are encompassing too much land at this time. He would like to see the Planning Commission to consider designating a certain radius of growth around the towns now and later extend the radius in order to preserve some of the farm land for later. Mr. Turner said Page County is number three in the State for production of agriculture and this should be maintained.

**Election of 2008 Planning Commission Officers:**

Chairman Woodward opened the nominations for the office of Chairman of the Page County Planning Commission. Commissioner Short nominated Johnny Woodward for Chairman. Commissioner Newton nominated Paul Otto for Chairman. Commissioner Newton moved that the nominations for Chairman be closed.

Elections were held by a roll call vote by indicating the person's name. Paul Otto was elected as the 2008 Chairman of the Page County Planning Commission by a vote of 6-3.

<u>Planning Commissioner</u>	<u>Vote</u>
Frank deSerio	Paul Otto
Jackie Sullivan-Smoot	Paul Otto
Charles Newton	Paul Otto
Dawn Ponn	Paul Otto
Paul Otto	Paul Otto
Darrell Short	Johnny Woodward
Louis Bosley	Johnny Woodward
Sandra Hammel	Paul Otto
Johnny Woodward	Johnny Woodward

Chairman Woodward opened the nominations for the office of Vice Chairman of the Page County Planning Commission. Commissioner Newton nominated Alan Eldridge for Vice Chairman of the Planning Commission. Commissioner Smoot moved that the nominations for Vice Chairman be closed.

Alan Eldridge was elected Vice Chairman of the Page County Planning Commission by a roll call vote of 8-1.

Louis Bosley	Aye
Frank deSerio	Aye

Sandra Hammel	Aye	
Charles Newton	Aye	
Dawn Ponn	Aye	
Paul Otto	Aye	
Jackie Smoot	Aye	
Darrell Short	Aye	
Johnny Woodward	Nay	
Alan Eldridge		Absent

Chairman Woodward opened the nominations for Secretary of the Page County Planning Commission. Commissioner Ponn nominated Charles Newton as Secretary of the Planning Commission. Commissioner deSerio moved the nominations be closed.

Charles Newton was elected as Secretary of the Page County Planning Commission by a roll call vote of 9-0.

Frank deSerio	Aye
Dawn Ponn	Aye
Paul Otto	Aye
Darrell Short	Aye
Jackie Smoot	Aye
Sandra Hammel	Aye
Louis Bosley	Aye
Johnny Woodward	Aye
Charles Newton	Aye

Chairman Woodward announced the 2008 Page County Planning Commission officers as follows:

Chairman – Paul Otto  
Vice Chairman – Alan Eldridge  
Secretary – Charles Newton

Kevin Henry announced that monthly work sessions would be held in the Board of Supervisors Room beginning in March.

**Adjourn:** The meeting was adjourned at 9:15 p.m.



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Johnny Woodward, Chairman